



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed April 4, 2023


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

§ Chapter 11
§
§ Case No. 19-34054-sgj11
§
§
§

**ORDER DENYING HUNTER MOUNTAIN INVESTMENT TRUST'S OPPOSED
APPLICATION FOR EXPEDITED HEARING ON EMERGENCY MOTION FOR
LEAVE TO FILE INTERLOCUTORY APPEAL [DE # 3719]**

This Order is issued in response to *Hunter Mountain Investment Trust's Opposed Application for Expedited Hearing on Emergency Motion for Leave to File Interlocutory Appeal* ("Expedited Hearing Request") [DE # 3719] on April 4, 2023, at 2:06 p.m. C.D.T. The Expedited Hearing Request seeks a hearing in the bankruptcy court within three days, or as soon thereafter as counsel can be heard, on *Hunter Mountain Investment Trust's Emergency Motion for Leave to File Interlocutory Appeal* ("Motion for Leave to File Interlocutory Appeal") [DE # 3718] which was filed on April 4, 2023, at 2:01 p.m. C.D.T.

The bankruptcy court has no authority to rule on the Motion for Leave to File Interlocutory Appeal; thus, there is no purpose in the bankruptcy court granting an expedited hearing on the same. See Fed. R. Bankr. P. 8004(a)-(c).

Pursuant to Fed. R. Bankr. P. 8004(a), movant must file a Notice of Appeal “as prescribed by Rule 8003(a),” and file with it an accompanying motion for leave to appeal interlocutory order. Once that occurs, the bankruptcy clerk will promptly transmit those items to the District Clerk to be assigned to a District Judge to consider. Movant has not filed a Notice of Appeal on the docket (nor paid the required filing fee). It has merely attached one to the Motion for Leave to File Interlocutory Appeal as an Exhibit 1.

Accordingly,

IT IS ORDERED that the Expedited Hearing Request is **denied**.

* * * END OF ORDER * * *